

REMARKS

Reconsideration of the present application is respectfully requested. Claims 1-54 were originally presented, and claim 55 was previously added. Claims 18-31 and 34-55 have been withdrawn from consideration and claims 14 and 15 have been canceled. Claims 1, 3, 4, 6-8, 13, and 16 have been amended so that claims 1-13, 16, 17, 32, and 33 are currently pending. Claims 1, 32, and 33 are in independent form.

In the Office Action of June 27, 2007, the Examiner rejects claims 1-17, 32, and 33 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,726,117 to Khare et al. (hereinafter, Khare). In support of this rejection, the Examiner states that the claims are anticipated “since applicants’ claims to not require a step of reducing the composition with a reducing agent.” Office Action, p. 2, ll. 10 and 11.

With respect to independent claims 32 and 33, Applicants wish to direct the Examiner’s attention to step (e) of the claims. Step (e) of claim 32 recites “reducing said promoted particulate to provide a reduced sorbent composition having a reduced-valence promoter.” (emphasis added); while step (e) of claim 33 recites “reducing said promoted particulate to provide a reduced sorbent composition having a reduced-valence promoter wherein said reduced-valence promoter has a valence of zero.” (emphasis added). Thus, contrary to the Examiner’s assertion quoted above, the step of reducing the sorbent composition is clearly recited in claims 32 and 33. Khare does not disclose the reduction step recited in claims 32 and 33. In fact, the Examiner admitted in the Office Actions of 1/22/03 and 8/5/03 that Khare to disclose a sorbent reduction step. Accordingly, Applicants submit that claims 32 and 33 are patentable over the prior art references of record, including Khare, and respectfully request the reconsideration and withdrawal of the rejection of claims 32 and 33 under 35 U.S.C. §102(b).

With respect to independent claim 1, Applicants have amended claim 1 to recite that “at least 10 weight percent of said promoter is in a zero-valence state.” In addition, claim 1 has been amended to recite that the “sorbent composition is a particulate in the form of a microsphere having a mean particle size in the range of from about 1 micrometer to about 500 micrometers.” Support for these amendments can be found in the specification at page 11 at lines 15-19, page

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12 at lines 7 and 8, and page 17 at lines 15-18, for example. While Khare is a good contribution to the art, it does not disclose a particulate sorbent composition in the form of a microsphere of the claimed size range nor does it disclose that at least 10 weight percent of the promoter is in a zero-valence state, as now recited in claim 1. Thus, Applicants submit that claim 1, as amended, is patentable over the prior art references of record, including Khare. Accordingly, Applicants respectfully request the reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. §102(b).

Claims 2-13, 16, and 17 depend from independent claim 1. These claims recite additional patentable features and should also be allowable as being based upon allowable independent claims.

Applicants submit that the present application is now in condition for allowance and such allowance is respectfully requested. Should the Examiner have any questions, please contact the undersigned at (800) 445-3460. The Commissioner is hereby authorized to charge to any additional fees associated with this communication or credit any overpayment to Deposit Account No. 19-0522.

Respectfully submitted,

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